IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

CHAMBER SUMMONS NO.918 OF 2007
IN
NOTICE OF MOTION NO.3503 OF 2003
IN
SUIT NO.1689 OF 2003

Bank of Baroda. ...Plaintiff.
Vs.
Alpic Finance Limited. ...Defendant.
And
Bilwadal Warehousing Pvt. Ltd. ...Applicant.

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Mr. J.P. Sen with Ms. Ferzana Behramkamdin i/b. M/s. FZB & Associates for the Applicant.
Mr.Pravin Diwan i/b. Little & Co. for the Plaintiff.
Mr. D.V. Deokar, 1st Assistant to Court Receiver present.
Mr.S. Ramakantha, Dy. Official Liquidator present.

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CORAM :DR.D.Y.CHANDRACHUD, J.
July 3, 2007.

P.C.:

In view of the fact that the Hon'ble Shri Justice S.J. Vazifdar is unavailable for judicial work at Mumbai today, the papers of these proceedings have been assigned to this Court.

2. At the hearing of the Chamber Summons, it has emerged from the submissions of Learned Counsel for the Applicant and the

Plaintiff that the following workable solution would meet the ends of justice. The Applicant has in the course of his submission, confined its prayer for relief to the removal of the movable items listed in Exh.B to the affidavit in support of the Chamber Summons. The items listed in Exh.B, the Court has however been informed, shall stand modified in that, in Item 9, the expression “Furniture and Fixtures shall stand substituted by the following words namely, “loose furniture such as tables and chairs”. Item 11 is, on the request of Learned Counsel for the Applicant, deleted from Exh.B. Item 12 shall similarly, on the request of Learned Counsel for the Applicant, be confined to Lamp Shades and removable fixtures other than wires. The Applicant has stated before the Court that while removing the said fixtures, all necessary steps would be taken to ensure that the premises continue to remain in a safe and habitable condition. The statement is accepted. With the aforesaid modifications, the grant of relief in the terms limited as above is not objected to by the Plaintiff before the Court.

3. Subject to the aforesaid modification and clarification, the

Applicant is permitted to remove the movable items listed in Exh.B to the affidavit in support of the Chamber Summons. The Chamber Summons is accordingly disposed of since no other relief has been pressed.

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